IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Larry W. White, James Hunter Enis		
Assignee:	Dell Products L.P.		
Title:	Solution Network Excursion Module		
Serial No.:	10/696,942	Filing Date:	October 30, 2003
Examiner:	Peter D. Coughlan	Group Art Unit:	2129
Docket No.:	DC-05626	Customer No.:	33438

Austin, Texas
February 13, 2008

Mail Stop Appeal Brief - Patents
Board of Patent Appeals and Interferences
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL APPEAL BRIEF UNDER 37 CFR § 41.37

Dear Sir:

Applicant submits this Appeal Brief pursuant to the Notice of Appeal filed in this case on October 16, 2007, the Notice of Panel Decision from Pre-Appeal Brief Review dated November 28, 2007 setting the time for response to December 28, 2007, and the Notification dated January 14, 2008. The fee for the Appeal Brief was paid electronically via the USPTO EFS. The Board is authorized to deduct any other amounts required for this appeal brief and to credit any amounts overpaid to Deposit Account. No. 502264.

I.   REAL PARTY IN INTEREST - 37 CFR § 41.37(c)(1)(i)

The real party in interest is the assignee, Dell Products, L.P. as named in the caption above and as evidenced by the assignment set forth at Reel 014656, Frame 0274.

II.   RELATED APPEALS AND INTERFERENCES - 37 CFR § 41.37(c)(1)(ii)

Based on information and belief, there are no appeals or interferences that could directly affect or be directly affected by or have a bearing on the decision by the Board of Patent Appeals and Interferences in the pending appeal.

III.   STATUS OF CLAIMS - 37 CFR § 41.37(c)(1)(iii)

Claims 1 - 24 are pending in the application. Claims 1 - 24 stand rejected. The rejection of claims 1 - 24 is appealed. Appendix "A" contains the full set of pending claims.

IV.   STATUS OF AMENDMENTS - 37 CFR § 41.37(c)(1)(iv)

No amendments after final have been requested or entered.

V.   SUMMARY OF CLAIMED SUBJECT MATTER - 37 CFR § 41.37(c)(1)(v)

In one embodiment, the invention relates to a method for identifying excursions to general solutions provided by a solution network (see e.g., Figure 2 and Page 6, line 24 through Page 7, Line 7) which includes identifying excursions to a general solution on a system basis (see e.g., Page 9, lines 18 – 24), saving the excursions within the solution network on a system basis (see e.g., Page 9, lines 24, 25), when accessing the solution network, searching the solution network to determine whether an excursion solution exists (see e.g., Page 9, lines 26 – 32), and presenting support knowledge to a customer based upon the accessing where the support knowledge includes the excursion solution if the excursion solution exists (see e.g., Page 10, lines 8 – 11).

In another embodiment, the invention relates to an apparatus for identifying excursions to general solutions provided by a solution network (see e.g., Figure 2 and Page 6, line 24 through Page 7, Line 7). The apparatus includes means for identifying excursions to a general solution on a system basis (see e.g., Page 9, lines 18 – 24), means for saving the excursions within the solution network on a system basis (see e.g., Page 9, lines 24, 25), means for searching the solution network to determine whether an excursion solution exists when accessing the solution network (see e.g., Page 9, lines 26 – 32), and means for presenting support knowledge to a

customer based upon the accessing where the support knowledge includes the excursion solution if the excursion solution exists (see e.g., Page 10, lines 8 – 11).

In another embodiment, the invention relates to a solution network (see generally Figure 2 and Page 6, line 24 through Page 7, line 7) which includes a knowledge repository (see e.g., Page 6, lines 1-7 and Page 7, lines 12-20), an excursion identifying module (see generally Figure 3 and Page 10, lines 1 – 19), a search module and a presenting module (see e.g., Page 10, lines 8 – 11). The knowledge repository stores information regarding general solutions to issues and information relating to excursions to general solutions (see e.g., Page 10, lines 8-11). The excursions are searchable on a system basis (see e.g., Page 9, lines 18 – 24). The excursion identifying module identifies excursions to the general solutions on a system basis (see e.g., Page 9, lines 24, 25). The search module searches the solution network to determine whether an excursion solution exists when accessing the solution network (see e.g., Page 9, lines 26 – 32). The presenting module presents support knowledge to a customer based upon the accessing where the support knowledge includes the excursion solution if the excursion solution exists (see e.g., Page 10, lines 8 – 11).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL - 37 CFR § 41.37(c)(1)(vi)

Claims 1, 8, 9, 16, 17 and 24 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ferguson et al., U.S. Patent Publication No. 20030130899 (Ferguson). Claims 2-4, 10-12, and 18-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson et al., U.S. Patent Publication No. 2004/0243998 (Collins). Claims 5-7, 13-15, and 21-23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ferguson et al., U.S. Patent Publication No. 20030130899 (Ferguson) in view of Markham, U.S. Patent Publication No. 20030158795 (Markham). These rejections are respectfully requested reviewed.

VII. ARGUMENT - 37 CFR § 41.37(c)(1)(vii)

The present invention generally relates to a knowledge management system which includes the ability to flag predetermined systems that have a known exception (i.e., an excursion) and render a solution based upon the known excursion.

Ferguson discloses a system for historical database training of non-linear models. The non-linear model is trained with training sets of electronic commerce data. The system detects availability of new training data, and constructs a training set from the corresponding input data. Over time, many training sets are presented to the non-linear model. The training sets are presented each time a new training set is constructed.

The Examiner cites to the following portion of Ferguson to support the contention that Ferguson discloses storing excursions on a system model basis:

> The neural network may be trained using back propagation with historical data or any of several other neural network training methods, as would be familiar to one skilled in the art. The above-mentioned information, including results of previous transactions of the user responding to previous inducements, which may be collected during the e-commerce transaction, may be used to update the predictive model(s). The predictive model may be updated either in a batch mode, such as once per day or once per week, or in a real-time mode, wherein the model(s) are updated continuously as new information is collected (Ferguson ¶ 0154).

However, nowhere within this portion of Ferguson, or anywhere else within Ferguson, is there any disclosure or suggestion of storing and searching excursions on a system model basis as disclosed and claimed. As set forth within the present application, "system model basis" is a basis where information is stored based upon a system model. Merely stating that a "neural network" as disclosed by Ferguson is equivalent to a system model basis is insufficient to overcome the Examiner's obligation to establish a *prima facie* case.

More specifically, Ferguson, taken alone or in combination, does not teach or suggest a method for identifying excursions to general solutions provided by a solution network where the method includes identifying excursions to a general solution on *a system model basis*, saving the excursions within the solution network on *a system model basis*, and when accessing the solution network, searching the solution network to determine whether *an excursion solution exists*, and

presenting support knowledge to a customer based upon the accessing where the support knowledge includes the excursion solution if the excursion solution exists, all as required by claim 1. Accordingly, claim 1 is allowable over Ferguson. Claims 2 - 8 depend from claim 1 and are allowable for at least this reason.

Ferguson, taken alone or in combination, does not teach or suggest an apparatus for identifying excursions to general solutions provided by a solution network where the apparatus includes means for identifying excursions to a general solution on *a system model basis*, means for saving the excursions within the solution network on *a system model basis*, means for searching the solution network to determine whether *an excursion solution exists* when accessing the solution network and means for presenting support knowledge to a customer based upon the accessing where the support knowledge includes the excursion solution if the excursion solution exists, all as required by claim 9. Accordingly, claim 9 is allowable over Ferguson. Claims 10 - 16 depend from claim 9 and are allowable for at least this reason.

Ferguson, taken alone or in combination, does not teach or suggest a solution network which includes, a knowledge repository, a presenting module, and an excursion identifying module where the knowledge repository stores information regarding general solutions relating to issues and information relating to *excursions to general solutions* and the excursions are searchable on *a system model basis*, where the excursion identifying module identifies excursions to the general solutions on *a system basis* and the search module searches the solution network to determine whether *an excursion solution exists* when accessing the solution network, and where the presenting module presents support knowledge to a customer based upon the accessing where the support knowledge includes the excursion solution if the excursion solution exists, all as required by claim 17. Accordingly, claim 17 is allowable over Ferguson. Claims 18 - 24 depend from claim 17 and are allowable for at least this reason.

VIII.   CLAIMS APPENDIX - 37 CFR § 41.37(c)(1)(viii)

A copy of the pending claims involved in the appeal is attached as Appendix A.

IX.   EVIDENCE APPENDIX - 37 CFR § 41.37(c)(1)(ix)

None

X.   RELATED PROCEEDINGS APPENDIX - 37 CFR § 41.37(c)(1)(x)

There are no related proceedings.

XI.   CONCLUSION

For the reasons set forth above, Applicant respectfully submits that the rejection of pending Claims 1 - 24 is unfounded, and requests that the rejection of claims 1 - 24 be reversed.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on February 13, 2008.

/Stephen A. Terrile/
_____
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Respectfully submitted,

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<u>**CLAIMS APPENDIX "A" - 37 CFR § 41.37(c)(1)(viii)**</u>

1.   A method for identifying excursions to general solutions provided by a solution network comprising:

identifying excursions to a general solution on a system model basis;

saving the excursions within the solution network on a system model basis;

when accessing the solution network, searching the solution network to determine
        whether an excursion solution exists; and,

presenting support knowledge to a customer based upon the accessing, the support
        knowledge including the excursion solution when the excursion solution exists.

2.   The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a unique system
        identifier.

3.   The method of claim 2 wherein:

the unique system identifier is a service tag.

4.   The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a part identifier.

5.   The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a system model
        identifier.

6.   The method of claim 1 further comprising:

storing the excursion exception within the solution network based upon a system
        manufacture date.

7.   The method of claim 1 further comprising:

searching the solution network for general solutions when no excursion solution exists,
      the searching the solution network to determine whether an excursion solution
      exists being performed before searching to solution network for general solutions.

8.   The method of claim 1 wherein:

the system includes an information handling system.

9.   An apparatus for identifying excursions to general solutions provided by a
solution network comprising:

      means for identifying excursions to a general solution on a system model basis;

      means for saving the excursions within the solution network on a system model basis;

      means for searching the solution network to determine whether an excursion solution
            exists when accessing the solution network; and,

      means for presenting support knowledge to a customer based upon the accessing, the
            support knowledge including the excursion solution when the excursion solution
            exists.

10.   The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a
      unique system identifier..

11.   The apparatus of claim 10 wherein:

the unique system identifier is a service tag.

12.   The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a part
      identifier.

13.   The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a
        system model identifier.

14.   The apparatus of claim 9 further comprising:

means for storing the excursion exception within the solution network based upon a
        system manufacture date.

15.   The apparatus of claim 9 further comprising:

means for searching the solution network for general solutions when no excursion
        solution exists, the searching the solution network to determine whether an
        excursion solution exists being performed before searching to solution network
        for general solutions..

16.   The apparatus of claim 9 wherein:

the system includes an information handling system.

17.   A solution network comprising:

a knowledge repository, the knowledge repository storing information regarding general
        solutions to issues, the knowledge repository storing information relating to
        excursions to general solutions, the excursions being searchable on a system
        model basis;

an excursion identifying module, the excursion identifying module identifying excursions
        to the general solutions on a system model basis;

a search module, the search module searching the solution network to determine whether
        an excursion solution exists when accessing the solution network; and,

a presenting module, the presenting module presenting support knowledge to a customer
        based upon the accessing, the support knowledge including the excursion solution
        when the excursion solution exists.

18.   The solution network of claim 17 wherein:

the excursions are identifiable based upon a unique system identifier..

19.   The solution network of claim 18 wherein:

the unique system identifier is a service tag.

20.   The solution network of claim 17 wherein:

the excursions are identifiable based upon a part identifier.

21.   The solution network of claim 17 wherein:

the excursions are identifiable based upon a system identifier.

22.   The solution network of claim 17 wherein:

the excursions are identifiable based upon a system manufacture date.

23.   The solution network of claim 17 further comprising:

a general search module, the general search module searching the solution network for
        general solutions when no excursion solution exists, the searching the solution
        network to determine whether an excursion solution exists being performed
        before searching to solution network for general solutions..

24.   The solution network of claim 17 wherein:

the system includes an information handling system.

EVIDENCE APPENDIX - 37 CFR § 41.37(c)(1)(ix)

None

RELATED PROCEEDINGS APPENDIX - 37 CFR § 41.37(c)(1)(x)

There are no related proceedings.